

Town of Milton
Planning and Zoning Commission
Minutes
January 21, 2003

Members Present:

Linda Rogers
Mick Filicko

Dean Sherman
John Hopkins

Denny Hughs
Noble Prettyman

1. *An Application from Adams-Kemp Associates representing the Pettinaro Construction Co. for a major subdivision titled Wagamons West Shore and further identified by Sussex County Tax map 2-35-20.00 Insert sheet E, Inserts A and B. Proposed 240 total lots on 90 acres +/- .*

Charles Adams from Adams-Kemp Associates presented the preliminary site plan to the Planning and Zoning Commission. Mr. Adams stated that the site plan had already been approved for preliminary approval through the Town Council back in 1992 and some work had begun on the water lines, sewer lines and the water run-off system back in the 1990's. Mr. Pettinaro stated that the reason they did not go forward to get the final approval was do to the housing sales at the time. Mr. Pettinaro stated that when he read the town code he did not see a need to hurry the project do to the Town not having a sunset clause and sales in developments in Milton were slow at the time.

Mr. Adams stated the plan was to protect the shoreline around the pond with in its natural setting. Storm water ponds have been added to catch the water run off from the streets and driveways. The storm water ponds will be dry except for one, which is located toward the northeast corner of the development. The storm water pond on the southeast side of the development is intended to also be used for a utility easement if the town ever wishes to extend the utilities. The homes will have individual infiltration units for the water run off from the homes. Mr. Adams said that they are applying for a water quantity waiver from Soil Conservation. Mr. Adams stated the flood zoning for this development is zoned X (500 year flood plain). The storm water area at the northeast location will also be used as the public open air area, for picnics, access to the pond, ect..

Mr. Adams and Mr. Law said landscape buffers would be provided along Lavinia Street, around the adjoining properties and along the railroad tracks. This buffer would be a type like Leland cypress and white pine trees.

Linda Rogers asked about the condition of the existing pipes and Mr. Adams stated they would all be checked to ensure they are in order. Linda Rogers asked about more open space for the community and Mr. Adams said that no other open space was

proposed. Mr. Adams stated the open areas, storm water ponds will be the responsibility of the property owners/home owners association. Mr. Law stated he did not think sidewalks are needed in the development and would like to propose an alternate means for pedestrian travel.

Bob Kerr from Cabe Associates said lot number 28 is irregular and would it be build able? Mr. Adams stated he would investigate it. Mr. Adams stated the open parcel of land in the middle of parcels 149 through 161 will be incorporated into the surrounding lots and thus be removed. Mr. Adams stated that the properties along Lavinia Street have a right of way from the center of Lavinia Street 30' and then the buffer area. These lots are of ample size to accommodate this requirement. It was noted that curbs and sidewalks are a requirement in the Town of Milton and that if these are to be waived Town Council must waive them, not Planning and Zoning. The street width is in question due to the conflict in the Town of Milton Code. Street widths proposed 50' right of way with 26' paved with no on street parking for minor streets and 60' right of way with 36' at the entrances, which is from the original submission of the site plan.

Mr. Law stated that this development is anticipated to be done in 3 phases. These phases will be shown on the next plat submitted. All utilities will be under ground with street lighting.

The Developer/Property owner wishes to bring before the Planning and Zoning commission their design changes for streets, sidewalks and curbing at the next scheduled meeting for the Planning and Zoning review and recommendations.

The Developer/Property owner will need to ensure all outside agencies are contacted and approvals received before Town Council can grant final approval.

2. An Application from Herbert and Marjorie Dutt for a variance from the Code of the Town of Milton, Article 4, Section 3, Table 1 (Table of District Regulations) minimum lot area square feet for R-1 zoning. Mr. Dutt requests that the parcel being of size 150' x 150' be split into two (2) parcels each being of same and equal size (plus or minus 4 sqft) and a variance from the side yard setback from 10' to 5' 7" on existing structure. Property location is 409 Hemlock Street further identified by Sussex County Tax Map and Parcel number 2-35-14.16 20.00.

The Planning and Zoning Commission reviewed the application and recommended the partitioning of the parcel into 2 parcels both approximately 7500 sqft and the setback of the existing house to 5' 7" from the property line.